

**Notice of Allowability**

Application No.

10/057,509

Examiner

Julian Mercado

Applicant(s)

HIRANO ET AL.

Art Unit

1745

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9-23-04.
2. ☒ The allowed claim(s) is/are 1,3-6 and 8-15.
3. ☒ The drawings filed on 23 September 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 9-23-04
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

## DETAILED ACTION

### *Examiner's Amendment*

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Walter Fasse on November 22, 2004.

The application has been amended as follows:

1. Claim 1 has been replaced with the following:

--1. A storage battery, comprising

a battery casing;

a cover closing an opening of said battery casing; and

a thinner see-through window portion provided on a sidewall of said battery casing for visual recognition, from the outside, of a level of electrolyte contained in said battery casing, wherein

a reinforcing rib is provided integral with said see-through window portion and extends through a see-through window portion displaced inwardly away from edges of said see-through window portion, wherein,

said battery casing has a plurality of cells and a partition separating said cells, and

said reinforcing rib is provided at a position in alignment with said partition.--

2. Claim 2 has been canceled.
3. In claim 10 at line 1, "claim 2" has been changed to --claim 1--.

***Remarks***

This Office action is responsive to applicant's amendment filed September 23, 2004.

The examiner notes that the examiner's amendment to claim 1 incorporates the limitations of dependent claim 2 into claim 1, with claim 2 then canceled.

***Drawings***

The objection to the drawings under 37 CFR 1.83(a) has been withdrawn.

The replacement drawing for Figure 2 was received on September 23, 2004. This drawing is approved.

***Claim Rejections - 35 USC § 102***

The rejection of claims 1 and 3-6 under 35 U.S.C. 102(b) based on EP 0 299 670 has been obviated.

Applicant's amendment now requires that the reinforcing rib extends through a see-through area of the window. The examiner concedes with applicant's assertion that in EP '670 the window frame (to the extent that it may read on a reinforcement rib) extends along the *perimeter* of the window. [emphasis added]

***Claim Rejections - 35 USC § 103***

The rejection of claims 1, 3 and 6 under 35 U.S.C. 103(a) based on JP 51-114641 or JP 114235 and Jensen (U.S. Pat. 4,076,906) has been obviated.

As a matter of record, contrary to applicant's assertion the rib in Jensen is considered a reinforcing rib in that its tip [20] is biased against the inner surface of the window. To this extent the rib [18] is considered a reinforcing rib, albeit a weak one.

However, the examiner concedes with applicant's assertion that the member or rib [18] in Jensen is not integral with the see-through window as presently required by the amended claims.

The rejection of claim 7 under 35 U.S.C. 103(a) is deemed moot in view of the cancellation of this claim.

***Allowable Subject Matter***

Claims 1, 3-6 and new dependent claims 8-10 are allowed. The closest prior art has been discussed in detail in the prior Office action and has been obviated by the present amendment to the claims for the reasons set forth above. The following is an examiner's statement of reasons for allowance: the prior art of record does not teach or suggest the instant invention regarding a reinforcing rib integral with a see-through window and extending through a see-through area of said window, with said reinforcing rib being provided at a position in alignment with a partition separating a plurality of battery cells.

The examiner notes that with respect to claim 1 as presently amended by the examiner's amendment outlined above, a forthcoming rejection based on JP 2-8859 (as cited in the July 8,

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2002 IDS) is precluded in that this reference does not teach or suggest the battery casing having a plurality of cells and a partition separating said cells so that the reinforcing rib is provided at a position in alignment with said partition. While partitions separating battery cells are known, the prior art does not teach or suggest a combination of the instant reinforcing rib (as arguably taught by JP 2-8859) and a partition wall so that that the resulting structure is the reinforcing rib being in *alignment* with said partition. [emphasis added]

New claims 11-15 are allowed for similar reasons set forth above for claims 1, 3-6 and 8-10, specifically, the prior art of record does not teach or suggest the instant invention regarding a see-through window molded as one integrally connected piece with an opaque wall, with at least one partition and with plural reinforcing ribs.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

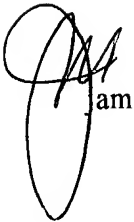
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julian Mercado whose telephone number is (571) 272-1289. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick J. Ryan, can be reached on (571) 272-1292. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

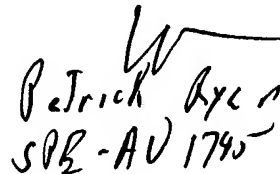
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.



am



Patrick Ayer  
SPB-AU 1745